



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett  
County Executive

Patty Bubar  
Acting Director

E-MAIL TRANSMITTAL

Interagency Water/Sewer Map Amendment Review

May 8, 2018

TO: Beth Kilbourne, Rufus Leeth, and Luis Tapia, Development Services Division  
Washington Suburban Sanitary Commission  
  
Richard Weaver, Area 3 Planning Team, M-NCPPC  
Maryland – National Capital Park and Planning Commission  
  
Geoffrey Mason, Parks Planning & Stewardship Division  
Maryland – National Capital Park and Planning Commission  
  
Heidi Benham, Well and Septic Section  
Department of Permitting Services

FROM: George Dizelos, Planner III, Water and Wastewater Policy Group  
Department of Environmental Protection

SUBJECT: WATER/SEWER CATEGORY CHANGE REQUEST REVIEW – **2018-Q3 REVIEW GROUP**

Attached with this message and posted to [www.montgomerycountymd.gov/waterworks](http://www.montgomerycountymd.gov/waterworks) is a PDF that includes three (3) new individual water/sewer service area category change requests (WSCCRs) for your review and comment. These requests will be considered as proposed amendments to the County's *Comprehensive Water Supply and Sewerage Systems Plan*. I would greatly appreciate receiving your review comments on these requests no later than Friday, June 8th, 2018. Please notify me before June 1<sup>st</sup>, 2018 if this schedule is not feasible.

DEP will develop and announce a schedule for administrative delegation hearing AD 2018-3, which will include all eligible FY 2018 third quarter requests. We will provide a notice of that hearing 30 days prior to the hearing date. At this time DEP has not identified any requests in this review packet anticipated for County Council consideration. Part of DEP's recommendation process for these requests will be based in part on the review comments your agencies provide.

Note that the listing of the following requests under the administrative process versus the Council process is a preliminary determination and certainly subject to change as they proceed through the review process.

Anticipated Administrative Action WSCCRs

18-CLO-01A... Joseph M. Brule  
18-TRV-02A... David L. & Nancy S. Scull  
18-TRV-03A... Janis F. & Michael W. Kerns

Anticipated Council Action WSCCRs

*None at this time*

Undetermined Action WSCCRs

*None at this time*

Please do not hesitate to contact me at [George.Dizelos@montgomerycountymd.gov](mailto:George.Dizelos@montgomerycountymd.gov) or at 240-777-7755 if you have any questions concerning these category change requests or the review schedules.

GJD: gjd

\\DEPFILES\Data\Programs\Water\_and\_Sewer\CCRs\CCR-Review-Process\2018CCR-review-process\2018-Q3\2018-q3--review-pckt.docx

cc: Agencies

Stan Edwards and Alan Soukup, DEP-WWPG  
Keith Levchenko, County Council  
Katherine Nelson, Area 3 Planning, M-NCPPC  
Pam Dunn, Functional Planning, M-NCPPC  
Mark Pfefferle, Development Applications & Regulatory Coordination, M-NCPPC  
Ray Chicca, Development Services, WSSC  
D. Lee Currey, Water and Science Administration, MDE  
Steven Allan, MDP

Category Change Applicants & Interested Parties

18-CLO-01A... Joseph M. Brule  
... Dean Packard c/o Packard & Associates, LLC  
18-TRV-02A... David L. & Nancy S. Scull  
18-TRV-03A... Janis F. & Michael W. Kerns

Civic Organizations and Other Public Interest Groups

Cloverly Civic Association  
Cloverly Fairland White Oak CAC  
Glen Park of Potomac  
Greater Glen Mill Community Association  
Greater Glen Hills Coalition  
West Montgomery Citizens Association  
Ken Bawer

Adjacent and Confronting Property Owners

**DEP will send a notice to each owner of properties adjacent to and confronting these category change request sites advising them about the filing of these requests.**

**WSSCR 18-CLO-01A: Joseph M. Brule**

Anticipated Action Path: Administrative Action

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification
<ul style="list-style-type: none"> <li>1105 Briggs Chaney Rd., Silver Spring</li> <li>Parcel P508, Bealls Manor (acct. no. 03740154)</li> <li>Map tile: WSSC – 220NE01; MD –JS61</li> <li>South side of Briggs Chaney Rd., 1,000 ft west of the intersection with Lear Ln.</li> <li>RE-2C Zone; 4.71 acres (205,167 sq. ft.)</li> <li>Cloverly Planning Area Cloverly Master Plan (1997)</li> <li>Upper Paint Branch SPA Watershed (MDE Use III)</li> <li><u>Existing use</u>: Unimproved</li> <li><u>Proposed use</u>: Single Family Home</li> </ul>	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-1            W-1 (no change)</p> <p>S-5            <b>S-1</b></p> <p><u>Applicant's Explanation</u></p> <p>"There is an abutting sewer main, suitable for connection in the abutting Briggs Chaney Road. Many of the houses in the neighborhood along Briggs Chaney Road have connections to the main. The property is in the sewer envelope. We are processing an Administrative Subdivision Plan (620180060) for the property to record a single lot. The WSSC has approved both water and sewer connections and we believe the contractor has already installed the connections to the property. Please expedite approval of the category change so that the plan can be approved and lot recorded."</p>

**Agency Review Comments**

**DPS:**

**M-NCPPC – Planning Dept.:**

**M-NCPPC – Parks Planning:**

**WSSC - Water:** *(not requested)*

**WSSC - Sewer:**

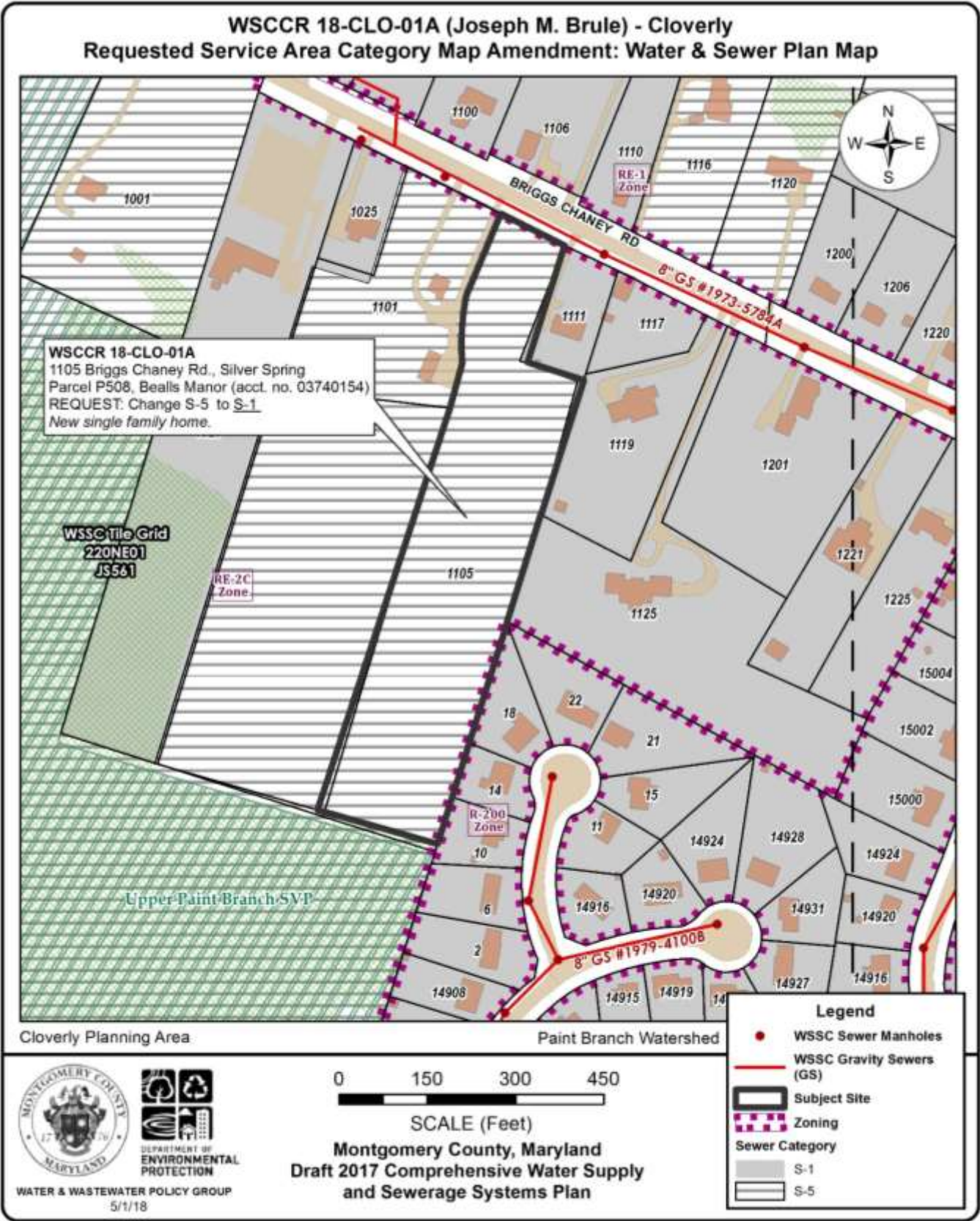
DEP note: WSSC, please confirm whether a sewer service connection has been installed for this property.

DEP general note (18-CLO-02A): DEP has acted to approve the following three sewer category change requests in this RE-2C-zoned area of Cloverly (see the map on pg. 5) under the administrative "consistent with existing plans" policy:

- **WSSCR 88B-CLO-01 (Jain Society of Met. Wash.)**
  - 1021 Briggs Chaney Rd. RE-2C Zone. 4.38 ac.
  - S-1 approved under AD 1989-1 (3/22/89).
  - AD policy: consistent with existing plans.
- **WSSCR 01A-CLO-04 (Fowler Assoc. for Camp)**
  - (now) 1125 & 1201 Briggs Chaney Rd. RE-2C Zone. 4.34 ac.
  - S-1 approved under AD 2001-7 (11/27/01)
  - AD policy: consistent with existing plans.
- **WSSCR 06A-CLO-05 (Maloo)**
  - 1221 Briggs Chaney Rd. RE-2C Zone. 1.15 ac.
  - S-1 approved under AD 2006-4 (11/3/06)
  - AD policy: consistent with existing plans.

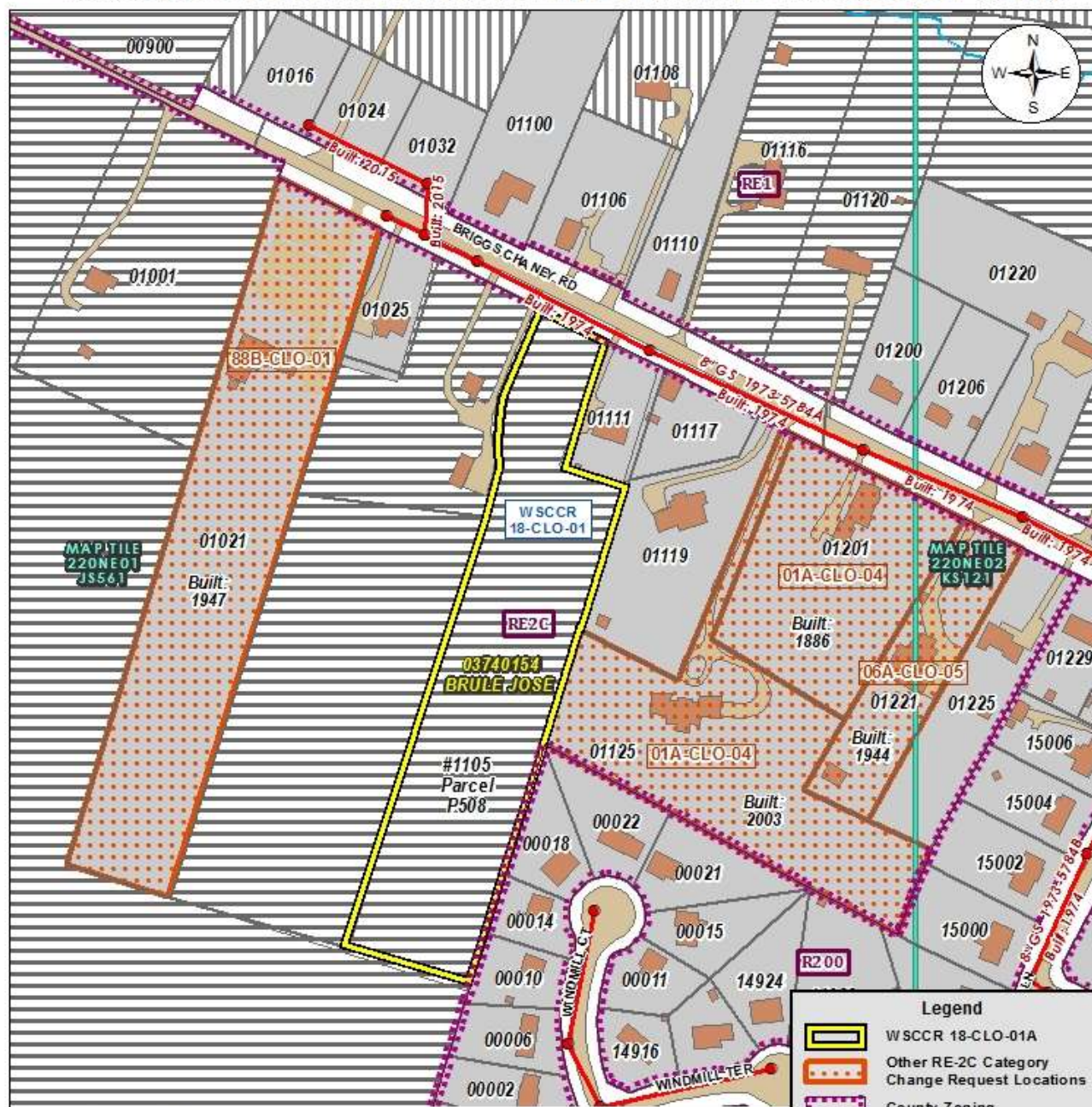
All three cases involved properties that lacked sufficient acreage to develop using the RE-2C cluster development option. The subject property at 4.71 acres is in a similar situation and should be able to take advantage of these precedents.

Note that changes in property boundaries since the 1974 construction of the sewer main along Briggs Chaney Rd. have made it difficult to verify that the subject property can qualify for public sewer service using an application of the County's abutting mains policy. (See the map on pg. 6) To date, DEP has not issued and expedited approval action under the abutting mains policy.





# WSSCR 18-CLO-01A (Joseph Brule) - Other RE-2C Category Change Requests Requested Sewer Service Area Category Map Amendment: Water & Sewer Plan Map



Cloverly Norwood Planning Area

Paint Branch Watershed



WATER & WASTEWATER POLICY GROUP  
4/23/18

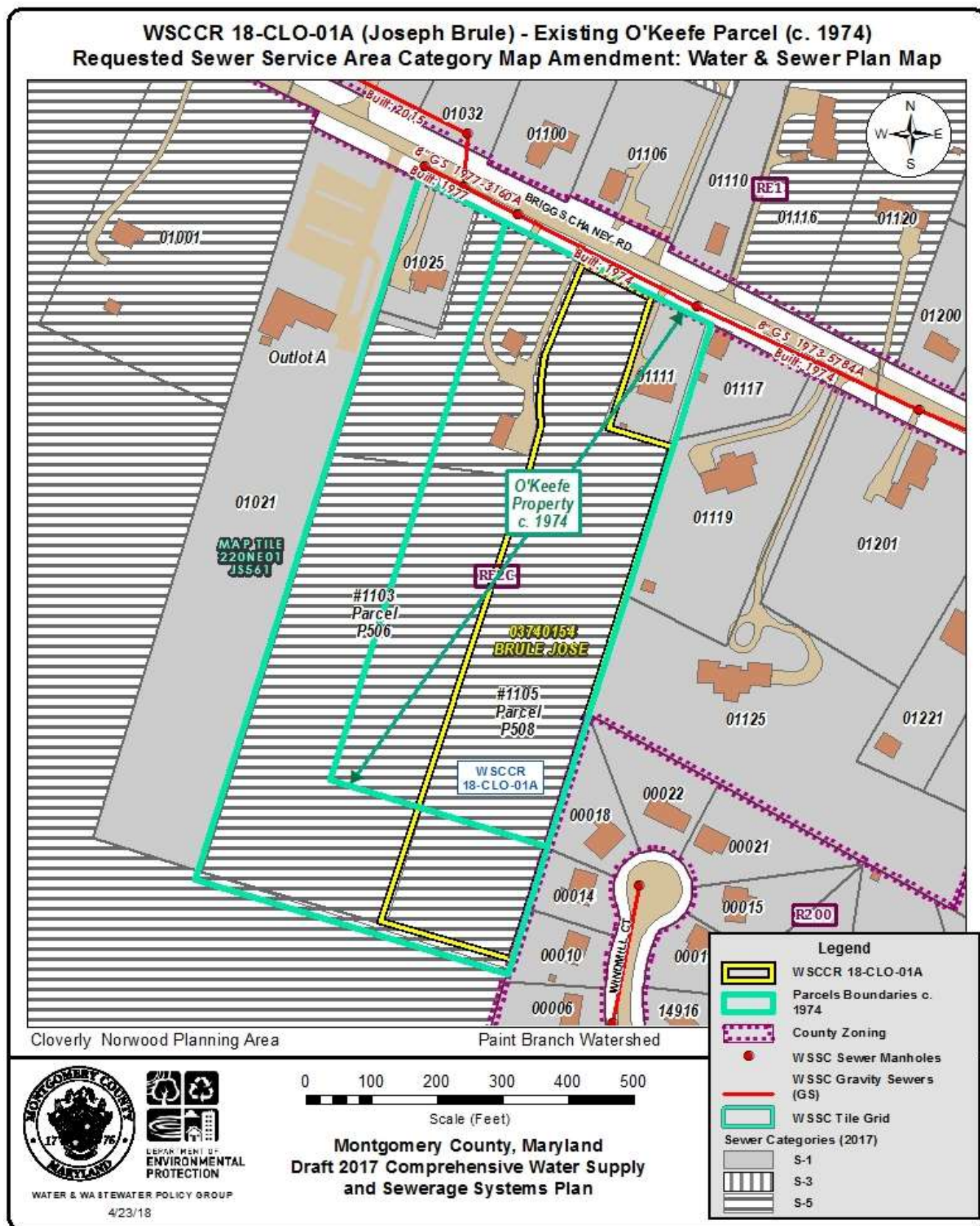
0 100 200 300 400 500 600

Scale (Feet)

Montgomery County, Maryland  
Draft 2017 Comprehensive Water Supply  
and Sewerage Systems Plan

Legend	
	WSSCR 18-CLO-01A
	Other RE-2C Category Change Request Locations
	County Zoning
	WSSC Sewer Manholes
	WSSC Gravity Sewers (GS)
	WSSC Tile Grid
Sewer Categories (2017)	
	S-1
	S-3
	S-5
	S-6





**WSSCR 18-TRV-02A: David L. & Nancy S. Scull**

Anticipated Action Path: Administrative Action

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification				
<ul style="list-style-type: none"> <li>10125 Bevern Ln., Rockville</li> <li>Lot 29, Block B, Hollinridge Sec 4 (acct. no. 00894831)</li> <li>Map tile: WSSC – 216NW10; MD –FQ43</li> <li>West side of Bevern Ln., 1000 ft west of the intersection with Betteker Ln.</li> <li>RE-1 Zone; 1.89 acres (82,456 sq. ft.)</li> <li>Travilah Planning Area Potomac Subregion Master Plan (2002)</li> <li>Watts Branch Watershed (MDE Use I)</li> <li><u>Existing use</u>: Existing Single Family Home <u>Proposed use</u>: Keep Existing Single Family Home</li> </ul>	<p><u>Existing – Requested – Service Area Categories</u></p> <table> <tr> <td>W-1</td><td>W-1 (No Change)</td></tr> <tr> <td>S-6</td><td><b>S-3</b></td></tr> </table> <p><u>Applicant's Explanation</u></p> <p>"All other houses on our cul-de-sac (Bevern Ln) either have or are approved for public sewer service, and our property is adjacent to another lot on Bevern Ln that is within the County's planned public sewer service envelope. Approval of category S-3 is therefore requested under the peripheral sewer service recommendations of the 2002 master plan.</p> <p>Our septic system, which is over 40-years-old, recently ceased to operate. A photo-investigation revealed that a root had choked off the pipe that runs from the septic tank to the drain field; the pipe has now been replaced. Our lot is heavily treed. For this reason and the system's age, we expect it is only a matter of time before another crisis occurs."</p>	W-1	W-1 (No Change)	S-6	<b>S-3</b>
W-1	W-1 (No Change)				
S-6	<b>S-3</b>				

**Agency Review Comments**

**DPS:**

**M-NCPPC – Planning Dept.:**

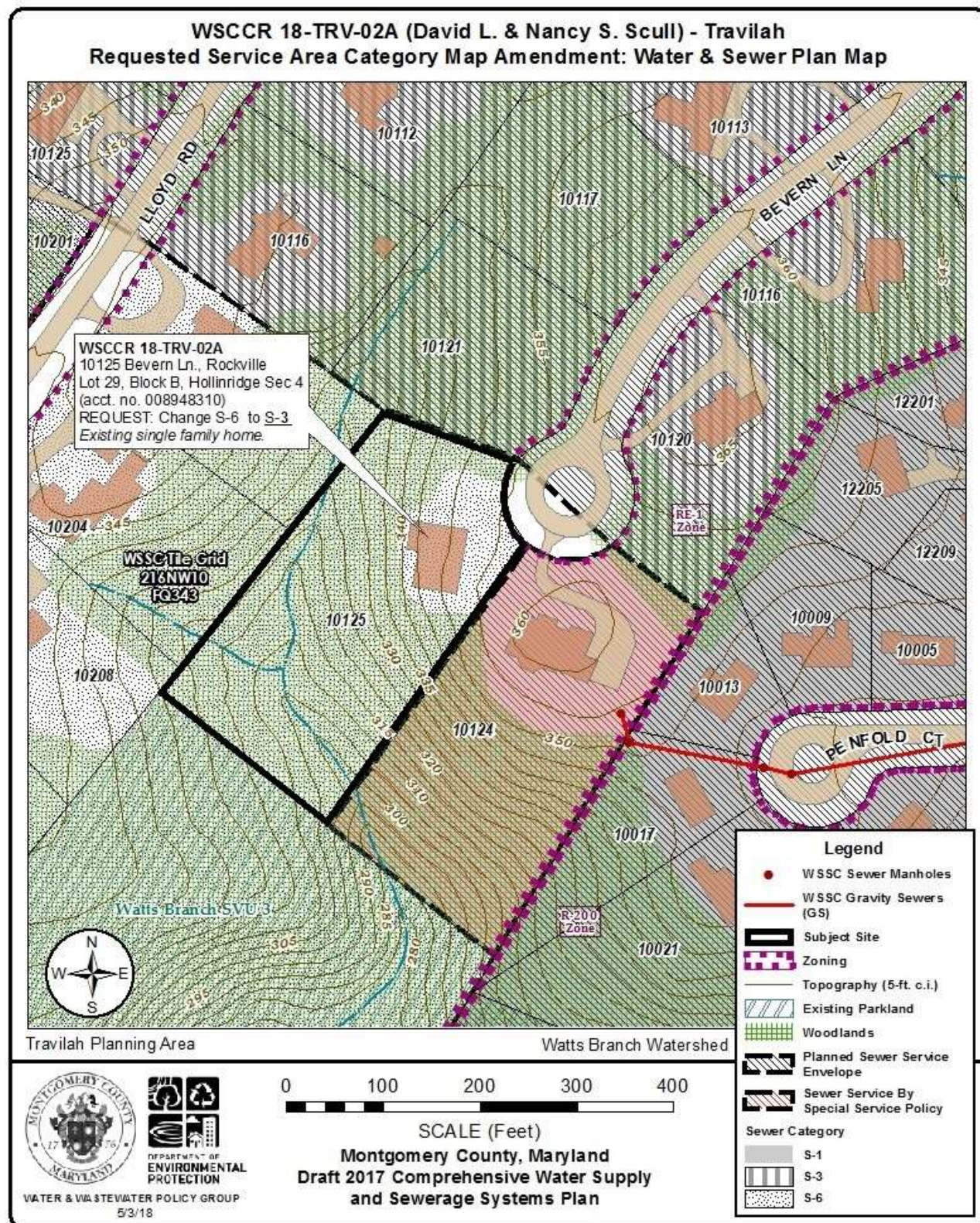
*DEP note: M-NCPPC Planning, the northern property line for Lot 29 abuts the planned public sewer service envelope on the adjacent property at 10121 Bevern Ln. (see the map on pg. 8). A proposed administrative approval action would likely be considered under the Potomac peripheral sewer service policy.*

**M-NCPPC – Parks Planning:**

**WSSC - Water:** (not requested)

**WSSC - Sewer:**







**WSSCR 18-TRV-03A: Janis F. & Michael W. Kerns**

Anticipated Action Path: Administrative Action

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification				
<ul style="list-style-type: none"> <li>12712 Maidens Bower Dr., Potomac</li> <li>Lot 9, Block C, Esworthy Park (acct. no. 02283581)</li> <li>Map tile: WSSC – 217NW14; MD –ER21</li> <li>South west corner of Maidens Bower Dr. at the intersection with Gorky Dr.</li> <li>RE-2 Zone; 2.14 acres (93,218 sq. ft.)</li> <li>Travilah Planning Area Potomac Subregion Master Plan (2002)</li> <li>Muddy Branch Watershed (MDE Use I)</li> <li><u>Existing use</u>: Existing Single Family Home</li> <li><u>Proposed use</u>: Keep Existing Single Family Home</li> </ul>	<p><u>Existing – Requested – Service Area Categories</u></p> <table> <tr> <td>W-6</td><td><b>W-1</b></td></tr> <tr> <td>S-6</td><td><b>S-1</b></td></tr> </table> <p><u>Applicant's Explanation</u></p> <p>"Failure of current septic system, which is in our neighbor's yard (by easement). Cost to remediate would be prohibitive due to multiple maple trees sited on the easement areas."</p> <p><i>DEP Note: DPS Failure verified November 2<sup>nd</sup>, 2017 (see page 12). DEP Issued an expedited sewer connection to WSSC on January 22<sup>nd</sup>, 2018 (see pages 10-13) WSSC water and sewer connections were completed on March 30<sup>th</sup>, 2018.</i></p>	W-6	<b>W-1</b>	S-6	<b>S-1</b>
W-6	<b>W-1</b>				
S-6	<b>S-1</b>				

**Agency Review Comments**

**DPS:**

**M-NCPPC – Planning Dept.:**

**M-NCPPC – Parks Planning:**

**WSSC - Water:**

**WSSC - Sewer:**



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett  
*County Executive*

Patty Bubar  
*Acting Director*

MEMORANDUM

January 22, 2018

TO: Ray Chicca, Group Leader, Development Services Division  
Luis Tapia, Unit Coordinator, DSG Permit Services  
Washington Suburban Sanitary Commission

FROM: George Dizelos, Environmental Planner, Water and Wastewater Policy Group  
Department of Environmental Protection

SUBJECT: Public Health Problems

We request WSSC's assistance in expediting the provision of public service to the following property:

**Sewer Service: 12712 Maidens Bower Dr., Potomac**

Property I.D.:	Lot 9, Block C, Esworthy Park, acct.no. 02283581 – (SDAT tax map: ER21)		
Owner:	Janis & Michael Kerns	Water Category: <b>W-6</b>	Sewer Category: <b>S-6</b>
WSSC grid:	217NW14	Zoning/Size:	RE-2, 2.14 ac.
Planning Area:	Travilah	Watershed:	Muddy Branch

The Department of Permitting Services (DPS), Well and Septic Section, has advised this office of a public health problem, a septic system failure, at the subject property (see the attached memorandum). DPS recommended relief of this problem by connecting the site to public sewer service. The property is designated as sewer service category S-6 and water category W-6. The property is 2.14 acres in area. The property abuts an existing sewer main on Gorky Drive.

Given these conditions, it is reasonable to relieve this public health hazard by expediting the provision of public sewer service. **WSSC does not need to wait for the approval of a Water and Sewer Plan amendment to provide public sewer service; public service via the WSSC's system should be provided as soon as possible.** We would appreciate your assistance in this matter.

In addition, this property abuts existing water mains located along Gorky Drive and Maidens Bower Drive. The house on the property, built in 1985, existed when the abutting water mains were installed in 1995. Given this, the property is eligible for a single water service connection and hookup from either of the abutting water mains, as allowed by the County's abutting mains policy. It is also reasonable for the property owner to pursue a connection to the public water system at the same time that public sewer service is provided.

Although this property is designated as category S-6 in the County's Water and Sewer Plan, DPS acknowledgment of a public health problem is sufficient justification to warrant the expedited provision of public sewer service, regardless of the existing service area category. Further, this property qualifies for public

**Division of Environmental Policy and Compliance • Water and Wastewater Policy Group**

Rockville Center, Suite 120 • 255 Rockville Pike • Rockville, Maryland 20850-4166 • 240-777-7716 • FAX 240-777-7715



Ray Chicca and Luis Tapia, WSSC  
January 22, 2018

Page 2

water service and a connection to the public water system is allowed at this time, despite the existing W-6 water service category. The property owners have filed a request with DEP for a service area change from W-6 and S-6 to W-1 and S-1 (WSSCR No. 18-TRV-03A).

The property owners will need to contact WSSC to begin the application process for public water and sewer service. Neither DEP nor DPS staff can initiate a WSSC service application on the owner's behalf. Contact the WSSC Permit Services Section at either 301-206-4003 or [onestopshop@wsscwater.com](mailto:onestopshop@wsscwater.com). Additional information is available at the WSSC-Permits website at <https://www.wsscwater.com/business--construction/permit-services.html>.

If you have any questions, or if there are significant problems related to provision of sewer service, please contact me at [George.Dizelos@montgomerycountymd.gov](mailto:George.Dizelos@montgomerycountymd.gov) or 240-777-7755.

Attachments (see pages 3 and 4)

\\DEPFILES\Data\Programs\Water\_and\_Sewer\well-septic\HEALTHAZ\CASE\M\maidens-bower-dr-12712--septic and well\maidens-bower-dr-12712-- septic and well ads-rvw.docx

cc: Lisa Sine, Sharon Spruill and April Snyder, Permit Services Unit, WSSC  
Stan Edwards and Alan Soukup, Water and Wastewater Policy Group, DEP  
Heidi Benham and Kim Beall, Well and Septic Section, DPS  
Pamela Dunn, Functional Planning Division, M-NCPPC  
Richard Weaver and Katherine Nelson, Area 3 Planning Team, M-NCPPC  
Janis and Michael Kerns

Ray Chicca and Luis Tapia, WSSC  
January 22, 2018

Page 3



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
*County Executive*

Diane Schwartz Jones  
*Director*

November 2<sup>nd</sup>, 2017

TO: Alan Soukup  
Water & Wastewater Policy Group  
Department of Environmental Protection  
255 Rockville Pike, 1<sup>st</sup> floor  
Rockville, Maryland 20850

FROM: Heidi Benham  
Well and Septic Section  
Dept. of Permitting Services  
255 Rockville Pike, 2<sup>nd</sup> floor  
Rockville, Maryland 20850

SUBJECT: Request for Sewer Connection

LOCATION: 12712 Maidens Bower Drive  
Potomac, MD 20854  
Tax Map Grid: ER21  
WSSC Grid: 217 NW 14

The owner of the subject property has requested our assistance in obtaining an expedited sewer connection due to a failing septic system. The owner has notified this office of continuous problems with their septic system which have worsened over the past year, requiring monthly pump outs. During this time, the system has been serviced and evaluated by Environmental Septic and Waste Services, Inc. who also contacted this office in July regarding the failing system.

This property is currently designated as sewer category S-6.

If I can be of further assistance, please contact me at 240-777-6318.

cc: File  
Janis Kearns



Ray Chicca and Luis Tapia, WSSC  
January 22, 2018

Page 4

